

REMARKS/ARGUMENTS

Applicant thanks the Examiner for the Office Action dated August 20, 2008. In response to the issues raised, the Applicant offers the following submissions.

Examiner's Response to Arguments

The Examiner's response to the submissions of June 30, 2008, is that the Applicant's arguments are moot in light of the new ground(s) of rejection. The present Official Action does not raise new grounds of rejection. In particular, the novelty rejection of the independent claims in light of US 4,905,017 to Sugitani et al still stands.

Hence our previous submissions in relation to this reference are still valid. In particular, if the Examiner equates the wafer defined in claims 1 and 11, to the plate 408 of Sugitani, then Sugitani clearly fails to disclose a printhead with both nozzles and their respective actuators formed on an ejection side of the wafer (identified as the top side of the plate 408).

In view of this, Applicant submits that the Official Action has been made final in error and the claims are novel and inventive in light of the cited references.

35 U.S.C. §102 - Claims 1, 7 to 9, 11, 17 to 19, 31, 37 to 39

Claims 1, 7 to 9, 11, 17 to 19, 31 and 37 to 39 stand rejected for lack of novelty in light of US 4,905,017 to Sugitani et al.

Independent claims 1, 11, and 31 have been amended to explicitly define that the droplet ejection actuators and associated drive circuitry being formed on the droplet ejection side of the wafer such that the droplet ejection actuators are positioned between the droplet ejection side of the wafer and the plurality of nozzles.

In contrast, Sugitani uses a nozzle plate 408 with an array of ejection nozzles 409 formed therethrough. Neither side of the nozzle plate 408 supports any drive circuitry or drop ejection actuators.

The citation fails to teach a fundamental aspect of the invention and does not anticipate independent claims 1, 11 and 31 or any of dependent claims 7 to 9, 17 to 19, 37 to 39.

35 U.S.C. §103 - Claims 2 to 6, 10, 12 to 16, 20, 32 to 36 and 40

Claims 2 to 5, 12 to 15, 32 to 35 stand rejected as obvious in light of Sugitani. Claims 10, 20 and 40 stand rejected as obvious in light of Kawamura as applied to claim 1, in view of US 5,581,284 to Hermanson. Claims 6, 16 and 36 stand rejected as obvious in light of Kawamura as applied to claim 1, in view of US 6,575,566 to Jeanmaire et al.

As discussed above, Sugitani fails to anticipate all the elements of claims 1, 11 or 31. Furthermore, the additional citations fail to teach the distinguishing features of the independent claims. Accordingly, the combined disclosures of Sugitani and the additional references fail to support a §103 rejection of any of dependent claims 2 to 6, 10, 12 to 16, 20, 32 to 36 and 40.

Conclusion

It is respectfully submitted that the Examiner's rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration is courteously solicited.

Very respectfully,

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